

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:02CR3049
	)	
v.	)	
	)	
DAVID W. LOTT,	)	ORDER
	)	
Defendant.	)	
_____	)	

This matter is before the Court on defendant's motions to reduce sentence (Filing Nos. [133](#) and [136](#)), and the stipulation of the parties (Filing No. [138](#)). Pursuant to the retroactive amendment to the cocaine base guidelines, the defendant's final offense level is reduced from 34 to 32. His criminal history category remains at V. The government and defense agree that his sentence should be reduced to one hundred forty (140) months imprisonment, considering the prior computation of specific offense characteristics, adjustments, and departures. Accordingly,

IT IS ORDERED:

1) Said motions to reduce sentence are granted and the stipulation of the parties is approved and adopted; the sentence of the defendant is reduced to one hundred forty (140) months.

2) In all other respects, the judgment and committal order filed July 31, 2006 (Filing No. [124](#)) shall remain in full force and effect.

DATED this 27th day of February, 2009.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court